

**Indiana Real Estate Commission
AND CERTIFICATION BOARD
Wednesday July 22nd, 2020
8:00 a.m.**

***TO BE HELD THROUGH WEBEX*
TO JOIN, CALL: (240) 454-0887
MEETING CODE: 610915440 OR**

<https://IndianaEnhanced.Webex.com/join/PLAWebex>

I. CALL TO ORDER & ESTABLISHMENT OF QUORUM

Chairperson, Doug Rose called the meeting to order at **8:49 a.m.** in Conference Room W064 of the Indiana Government Center-South, 402 West Washington Street, Indianapolis, Indiana 46204 and declared a quorum in accordance with Ind. Code § 25-34.1-2-3(b).

Commission Members Present: Roll Call

Paul Boyter
Charles (Charlie) W. Shook
Doug Rose, Chairperson
Sahara Williams
Jack McCombs, Vice Chairperson
John Briscoe
John De Souza
Donna Spears
Pam Lumley
James Litten
Molly Kitchell

Commission Members Absent:

State Officials Present:

Deanna Alexander, Director, Indiana Professional Licensing Agency
Travis Lovett, Commission Advisory Council, Office of the Attorney General

Transcriptionist:

Heather Orbaugh, Accurate Reporting of Indiana

- II. CALL TO ORDER & ESTABLISHMENT OF QUORUM**
III. APPROVAL OF THE MINUTES May 20, 2020

8:00 a.m.

Motion was first and seconded
McCombs/Litten
11/0

Roll Call Vote - The following Board Members Voted	“Aye”	“Nay”
Paul Boyter	✓	
Charles (Charlie) W. Shook	✓	
Doug Rose	✓	
John Briscoe	✓	
John De Souza	✓	
Donna Spears	✓	
Sahara Williams	✓	
Pam Lumley	✓	
James Litten	✓	
Jack McCombs	✓	
Molly Kitchell	✓	

IV. AMEND THE AGENDA AND ADD DISUCSSION REGARDING RENEWALS UNDER OLD/NEW BUSINESS

Motion was first and seconded to amenda agenda and add discussin of renewals:

Shook/Boyter

Roll Call Vote - The following Board Members Voted	“Aye”	“Nay”
Paul Boyter	✓	
Charles (Charlie) W. Shook	✓	
Doug Rose	✓	
John Briscoe	✓	
John De Souza	✓	
Donna Spears	✓	
Sahara Williams	✓	
Pam Lumley	✓	
James Litten	✓	
Jack McCombs	✓	
Molly Kitchell	✓	

V. ADMINISTRATIVE HEARINGS

8:00 a.m.

A. IN THE MATTER OF THE LICENSE OF: Melissa McClendon
2018 IREC 0013
Re: Summary Suspension

Heidi Adair, Attorney General Office

State Exhibits –

Respondent: Not Present
Attorney: No Attorney

A motion was made and seconded to Summary Suspended the license for 90 Days

Boyster/Briscoe
11/0

Roll Call Vote - The following Board Members Voted “Aye” “Nay”

Paul Boyter	✓
Charles (Charlie) W. Shook	✓
Doug Rose	✓
John Briscoe	✓
John De Souza	✓
Donna Spears	✓
Sahara Williams	✓
Pam Lumley	✓
James Litten	✓
Jack McCombs	✓
Molly Kitchell	✓

VI. DELIBERATIONS AND POSSIBLE ISSUANCE OF FINAL ORDERS

A. IN THE MATTER OF THE LICENSE OF: Titan Property Management
○ 2019 IREC 0034
○ Re: Administrative Law Judge Panel Order

A motion was made and seconded to amend the order to recuse Charlie Shook and to remove line 6 under the facts of conduct and the vote count to 2/0 as Charlie Shook did not vote.

Boyter/Molly
10/0

The following Board Members Voted	"Aye"	"Nay"
Paul Boyter	✓	
Doug Rose	✓	
Jack McCombs	✓	
Jim Litten	✓	
John Briscoe	✓	
Pam Lumley	✓	
Sahara Williams	✓	
John De Souza	✓	
Donna Spears	✓	
Molly Kitchell	✓	

Charlie Shook requested himself from the vote.

B. IN THE MATTER OF THE LICENSE OF: James Clayborn
2020 IREC 0004
Re: Agreed Summary Suspension Extension

A motion was made and seconded to Affirm Proposed Agreed Order.

Boyter/McCombs
11/0

The following Board Members Voted	"Aye"	"Nay"
Paul Boyter	✓	
Charles (Charlie) W. Shook	✓	
Doug Rose	✓	
Jack McCombs	✓	
Jim Litten	✓	
John Briscoe	✓	
Pam Lumley	✓	
Sahara Williams	✓	
John De Souza	✓	
Donna Spears	✓	
Molly Kitchell	✓	

C. IN THE MATTER OF THE LICENSE OF: Joshua Lybolt & Magdalena Lybolt & A Prime Real Estate
2019 IREC 0022
Re: Agreed Summary Suspension Extension

A motion was made and seconded to Affirm Proposed Agreed Order.

McCombs/Boyter
11/0

The following Board Members Voted	“Aye”	“Nay”
Paul Boyter	✓	
Charles (Charlie) W. Shook	✓	
Doug Rose	✓	
Jack McCombs	✓	
Jim Litten	✓	
John Briscoe	✓	
Pam Lumley	✓	
Sahara Williams	✓	
John De Souza	✓	
Donna Spears	✓	
Molly Kitchell	✓	

VII. OBJECTIONS TO ADMINISTRATIVE LAW JUDGE PANEL ORDERS

VIII. APPLICATION REVIEW

IX. OLD / NEW BUSINESS

- 1. Chairman Vote – Jack McCombs**
Vice Chairman Vote – Sahara Williams

A motion was made and seconded to Affirm the Vote.

Spears/Sparks
11/0

The following Board Members Voted	“Aye”	“Nay”
Paul Boyter	✓	
Charles (Charlie) W. Shook	✓	
Doug Rose	✓	
Jack McCombs	✓	
Jim Litten	✓	

John Briscoe	✓
Pam Lumley	✓
Sahara Williams	✓
John De Souza	✓
Donna Spears	✓
Molly Kitchell	✓

2. Rule Readoptions

- 876 IAC 3-3-19
- 876 IAC 3-5-1
- 876 IAC 5
- 876 IAC 6
- 876 IAC 7
- 876 IAC 8
- 876 IAC 9

A motion was made and seconded to Approve the adoption of the rules.

Lummley/Litten
11/0

The following Board Members Voted	“Aye”	“Nay”
Paul Boyter	✓	
Charles (Charlie) W. Shook	✓	
Doug Rose	✓	
Jack McCombs	✓	
Jim Litten	✓	
John Briscoe	✓	
Pam Lumley	✓	
Sahara Williams	✓	
John De Souza	✓	
Donna Spears	✓	
Molly Kitchell	✓	

3. Renewal Process

X. ADJOURNMENT @ 12:19 am

**Next Meeting:
August 26, 2020
W064**